



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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## PLANNING COMMISSION

TUESDAY, MARCH 28, 2006

CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA

### COMMISSIONERS

CHAIR RALPH LYLE  
VICE-CHAIR ROBERT J. BENICH  
COMMISSIONER H. GENO ACEVEDO  
COMMISSIONER SUSAN KOEPP-BAKER  
COMMISSIONER MIKE R. DAVENPORT  
COMMISSIONER ROBERT L. ESCOBAR  
COMMISSIONER JOSEPH H. MUELLER

REGULAR MEETING - 7:00 P.M.

### \*\*\* A G E N D A \*\*\*

### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** March 14, 2006

**PUBLIC HEARINGS:**

- 1) **USE PERMIT, UP-06-01: ADAMS-CHAMPIONS ACADEMY:** A request for approval of a use permit to allow a Gymnastics Academy at an existing building at the end of Adams Ct at 18855 Adams Ct. The subject site is approximately 5.9 acres and is zoned Light Industrial (ML) with an underline designation of Industrial. (APN 726-34-025)

**Recommendation:** Open Public Hearing/Adopt Resolution approving use permit request.

- 2) **DEVELOPMENT APPROVAL AMENDMENT, DAA-04-06: COCHRANE-BORELLI:** A request to amend the development agreement for a 15-unit single family residential project located south of Cochrane Rd near the intersection of Saint Marks Ave. The applicant is requesting a 6-month extension on the phasing schedule for FY 2005-2006 and FY 2006-2007 to change in the process and timing of obtaining building permits and commencing construction. (APN 728-34-007)

**Recommendation:** Open Public Hearing/Adopt Resolution, with recommendation to forward request to the City Council for approval.

- 3) **GENERAL PLAN AMENDMENT GPA-05-05: CITY OF MORGAN HILL, URBAN LIMIT LINE / GREENBELT STUDY IMPLEMENTATION:** An amendment to the Morgan Hill General Plan Land Use Diagram to accomplish the following:
1. Establish an Urban Limit Line (ULL) around most of the City,
  2. Expand the Urban Growth Boundary to include approximately 18 acres located at the southwest corner of the intersection of Santa Teresa Blvd. and Watsonville Rd. (APN 779-02-002),
  3. Expand the Urban Growth Boundary and designate Single Family Low approximately 20 acres of land located on the west side of Sunset Ave., opposite Denali Dr., Yellowstone Dr., Whitney Way and Bryce Dr. (APNs 767-19-028 & a portion of 020 & 024 and 767-15-026),
  4. Expand the Urban Growth Boundary and designate Residential Estate approximately 23 acres of land located on the west side of DeWitt Ave. opposite Spring Ave. (APNs 773-09-001,002, 005, 006, a portion of 010, 011, 018, 027 & 028),
  5. Contract the Urban Growth Boundary to exclude approximately 92 acres of land on the northeast side of Malaguerra Ave. (APNs 728-34-019, 020 & 021, 728-35-001, 002 & 039),

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6. Contract the Urban Growth Boundary to exclude approximately 38 acres of land on northern slopes of El Toro, north of John Telfer Dr. and south of Llagas Rd. (APNs 764-31-001 (a portion of), 764-38-006, 008 & 009, a portion of 773-32-004 & 008),
7. Contract the Urban Growth Boundary to exclude approximately 28 acres of land on west side of Casino Real (APN 773-30-005), and
8. Contract the Urban Growth Boundary to exclude approximately 10 acres of land on east side of Water Ave. (APN 779-06-023).

In addition, the Goals, Policies and Actions of the Community Development Element and the Open Space and Conservation Element of the General Plan are proposed to be amended to identify Greenbelt areas and to provide guidance regarding the intent and implementation of the ULL and Greenbelt areas.

**Recommendation:** Reopen Public Hearing/Adopt Resolution recommending City Council approval of Mitigated Negative Declaration and General Plan Amendment.

- 4) **AMENDMENT TO DESIRABLE INFILL POLICY:** Proposed amendments to the City Council policy regarding expansion of the Urban Service Boundary for Desirable Infill.

**Recommendation:** Recommend City Council adoption of proposed amendments by minute action.

- 5) **URBAN SERVICE AREA, USA-05-02/ ZONING AMENDMENT, ZA-06-01/ANNEXATION, ANX-06-01: EDMUNDSON-OAK MEADOW PLAZA:** Proposed amendments to the plans of the City of Morgan Hill regarding a 34-acre area involving three parcels located on the west side of Sunset Ave. opposite Denali Dr., Yellowstone Dr., Whitney Way and Bryce Dr. Proposed are the following actions: pre-zoning 14 acres of the area Open Space and 20 acres of the area R-1 12,000, including the 20-acre area to be pre-zoned R-1 12,000 into the City's Urban Service Area, and annexing the 34-acre area into the city limits. (APNs 767-19-020 & 024 & 028 and 767-15-026)

**Recommendation:** Reopen Public Hearing/Adopt Resolution approving Urban Service Area; Adopt Resolution approving Zoning Amendment; and Adopt Resolution approving Annexation, with recommendation to forward the requests to the City Council for approval.

- 6) **GENERAL PLAN AMENDMENT, GPA-05-06/ URBAN SERVICE AREA, USA-05-01/ ZONING AMENDMENT, ZA-05-27/ANNEXATION, ANX-05-18: SANTA TERESA-BLACKROCK:** Proposed amendments to the plans of the City of Morgan Hill regarding an 18-acre parcel located at the southwest corner of the intersection of Santa Teresa Blvd. and Watsonville Rd. Proposed are the following actions: amendment to the Morgan Hill General Plan Land Use Diagram, changing the land use designation of the parcel from County Rural to Residential Estate, pre-zoning the parcel RE 40,000 (RPD), including the parcel within the City's Urban Service Area, and annexing the parcel into the city limits. (APN 779-02-002)

**Recommendation:** Reopen Public Hearing/ Adopt Resolution denying General Plan Amendment; Adopt Resolution denying Urban Service Area; Adopt Resolution denying Zoning Amendment; and Adopt Resolution denying Annexation, with recommendation to forward the requests to the City Council for denial.

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- 7) **GENERAL PLAN AMENDMENT, GPA-05-01: CITY OF MORGAN HILL-AMEND CIRCULATION ELEMENT/MADRONE PARKWAY AT-GRADE RAILROAD CROSSING:**  
An amendment to the General Plan Circulation Plan to re-establish Tilton Ave. between Hale Ave. and Monterey Rd. as a designated 2-lane collector street with an at grade crossing and connection to Monterey Rd. The proposed amendment includes keeping Madrone Parkway as a future 4-lane arterial street extension from Monterey Rd. to Hale Ave./future Santa Teresa Blvd.

**Recommendation:** Open Public Hearing/Approve Negative Declaration/Adopt Resolution, with recommendation to forward request to the City Council for approval.

### **TENTATIVE UPCOMING AGENDA ITEMS FOR THE APRIL 11, 2006 MEETING:**

- UP-06-03: Vineyard-Congregation Emeth
- UPA-89-02: E. Dunne-Robison
- Vacation of Mira Lagos Drive
- Multi-Family Vacancy Report

### **ANNOUNCEMENTS:**

### **CITY COUNCIL REPORTS**

### **ADJOURNMENT**

### **SPEAKER CARD**

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

### **NOTICE**

### **AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

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**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*